

REMARKS

The Notice of Non-Compliant Amendment mailed January 26, 2010 states that the Amendments to Claims 10, 11, 29 and 30 cause the Amendment document submitted on December 28, 2009 non-compliant. In view of the Notice, Claims 10, 11, 29 and 30 have been reviewed carefully and corrections have been made to these claims as follows:

- Claims 10 and 11 each has been provided with a proper status identifier, “(Currently amended)”.
- For each of Claims 29 and 30, the original status identifier, “(Withdrawn)”, has been changed to --(Withdrawn-currently amended)--.

The above corrections are believed to allow the Amendment document to become compliant.

The following is a copy of the Remarks submitted on December 28, 2009:

Re-Submitted Remarks

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons which follow.

Claims 1-7 and 9-11 are amended presently. Claims 12-28 are cancelled. New claims 33-41 are added. Support for the amendments and new claims can be found in the original drawings filed on the international filing date as well as in the original specification, e.g., at Paragraphs [0027], [0036] and [0040].

With the foregoing amendments, claims 1-7, 9-11 and 29-41 are pending in this application.

Claim Objections

Claims 4-6 are objected to. The Examiner states “[c]laims 4-6 recite a means

where that is unclear what corresponding structure is imported from the disclosure.” In response to this objection, claims 4-6 are amended so that the objected limitation in each of these claims is no longer a means plus function limitation under 35 USC 112, sixth paragraph. As such, Applicants request withdrawal of the claims objections.

Rejection under 35 USC § 112, second paragraph

Claims 1-11 are rejected under 35 USC §112, second paragraph as being indefinite.

Claim 1

The Examiner states “[i]t is not seen how the language employed in claim 1 reads on the disclosed subject matter.” The Examiner particularly points out that it is not clear what are considered “opposite”, “adjacent” or “distal”. The Examiner also states “[t]erminology is employed that is not consistent with the disclosure.” The Examiner particularly points out that the distinction between edges and fold lines as disclosed and subsequently claimed is confusing. The Examiner further states “it is unclear what the distal edge of the extension panel is.” Claim 1 is further objected to because “said edges” have multiple antecedent bases.

In view of the above rejections, claim 1, the specification and Figures 1 and 2 are amended. Support for the amendments to the specification can be found in the original drawings. With the assistance of the specification and Figures 1 and 2 as amended, it is now clear how the language employed in claim 1 reads on, for example, the slide card 10 in Figures 1 and 2. In addition, it is respectfully submitted that the words and terminologies “opposite”, “adjacent”, “distal”, “fold line” and “said edges” have been eliminated from claim 1 for the sake of clarity.

Claims 4-6

The Examiner states that it is unclear if a “means plus function” is being set forth in claims 4-6. As discussed earlier, the limitation including the “means” language has been removed from each of claims 4-6.

Claim 7

The Examiner mentions that “said sidewall panels” in claim 7 has no antecedent basis. In response to this rejection, “said sidewall panels” has been changed to --said sidewall sections--.

Claim 10

The Examiner states that “said panels” in claim 10 has multiple antecedent bases. The Examiner notes that the present disclosure provided no disclosure of the spine support panel attached to any other panel but the top panel. In response to this rejection, the phrase “a spine support attached to one of said panels” has been changed to --at least one spine support panel is foldably attached to said inside top panel--.

Claim 11

The Examiner states that it is unclear what “1” in claim 11 refers to. In response, “1” has been changed to --claim 1--.

Based on the above amendments, withdrawal of the rejection under 35 USC 112 is requested.

Rejections under 35 USC §§ 102 and 103

Claims 1-3, 7 and 8 are rejected under 35 USC §102(b) as being anticipated by Wong (US 2001/0040113). Claims 1-3 and 7-10 are rejected under 35 USC §103(a) as being unpatentable over Paillet (US 4,450,965) in view of Wong. Claims 1-10 are rejected under 35 USC §103(a) as being unpatentable over Paillet in view of Rosenberg, Jr. (US3,761,010). Claims 3, 4 and 6 are rejected under 35 USC §103(a) as being unpatentable over Wong as applied to claim 2, and further in view of Hougland (US 1,253,489). Claim 11 is rejected under 35 USC §103(a) as being unpatentable over Wong as applied to claim 1, and further in view of Coppola (US 6,830,147). In view of these rejections, claim 1 has been amended.

Claim 1, as amended, recites in part:

... the slide card comprising: ...

at least one spine support panel formed at least in part from the top cover, the at least one spine support panel extending downward from the top cover toward the card spine panel so as to provide support for the card spine panel,

None of Wong, Paillet, Rosenberg, Jr., Hougland and Coppola, either alone or in combination, discloses at least one spine support panel that is formed at least in part from a top cover and that extends downward toward a card spine panel. As such, none of these five cited references can anticipate claim 1 nor can they in combination arrive at the invention as now brought out by claim 1. Accordingly claim 1 is believed allowable.

Claims 2-11 depend, directly or indirectly, from allowable claim 1. For at least that reason, claims 2-11 are allowable. However, claims 9-11 are also allowable on their own merits in that they each defines an arrangement that is not disclosed by the cited references, i.e., Wong, Paillet, Rosenberg, Jr., Hougland or Coppola, either alone or in combination.

Claim 9 recites in part: "said top wall comprises inside and outside top panels, the inside top panel being disposed between the outside top panel and the tray." Such an arrangement is not disclosed by the cited references.

Claim 10 recites in part: "said at least one spine support panel is foldably attached to said inside top panel and extends to a lower end thereof that is positioned adjacent to said card spine panel." Such an arrangement is not disclosed by the cited references.

Claim 11 recites in part: "the top cover comprises data storage means for receiving data mediums." Such an arrangement is not disclosed by the cited references.

Claims Withdrawn from Consideration

Claim 29-32 have been withdrawn from further consideration as being drawn to a

non-elected invention. However, claim 29 is amended to include all of the limitations of allowable claim 1. As such, consideration of claim 29 and its dependent claims (Claims 30-32) and allowance thereof are being requested.

New Claims

New claims 33-41 depend from allowable claim 1, and thus they are also allowable. However, claims 34-38 and 40 are also allowable on their own merits in that they each defines an arrangement that is not disclosed by the cited references, i.e., Wong, Paillet, Rosenberg, Jr., Hougland and Coppola, either alone or in combination.

Claim 34 recites in part: “the inside top panel is folded and affixed to a face of the outside top panel.” Such an arrangement is not disclosed by the cited references.

Claim 35 recites in part: “said at least one spine support panel is struck at least in part from the inside top panel.” Such an arrangement is not disclosed by the cited references.

Claim 36 recites in part: “the at least one spine support panel is foldably attached to the inside top panel along at least one top cover edge spaced from the spine panel edge.” Such an arrangement is not disclosed by the cited references.

Claim 37 recites in part: “the data storage means comprises a storage sleeve defined between the inside and outside top panels.” Such an arrangement is not disclosed by the cited references.

Claim 38 recites in part: “the data storage means further comprises a cut line that provides as a receiving slot for the storage sleeve.” Such an arrangement is not disclosed by the cited references.

Claim 40 recites in part: “the at least one spine support panel comprises a pair of spine support panels which are disposed adjacent to the sidewall sections respectively.” Such an arrangement is not disclosed by the cited references.

Conclusion

Applicants believe that the present application is in condition for allowance. Favorable consideration of the application as amended is respectfully requested.

If any fees are due in connection with the filing of this response, including any excess claim fees, such fees may be charged to Deposit Account No. 132500. If a fee is required for an extension of time under CFR § 1.136 that is not accounted for above, such an extension is requested and the fee may also be charged to the above deposit account.

Respectfully submitted,

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